

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

JOHN B. ADRAIN

§

vs.

§

CASE NO. 2:10-CV-173-TJW-CE

VIGILANT VIDEO, INC., ET AL.

§

§

**ORDER**

The above-titled and numbered civil action was referred to United States Magistrate Judge Chad Everingham pursuant to 28 U.S.C. § 636. The report of the Magistrate Judge (Dkt. No. 42), which contains his recommendation that the court deny defendant City of Port Arthur's motion to dismiss (Dkt. No. 11), has been presented for consideration. Neither party filed an objection to the report and recommendation.

The court is of the opinion that the conclusions of the Magistrate Judge are correct. Therefore, the court adopts the report of the United States Magistrate Judge, in its entirety, as the conclusions of this court. Accordingly, it is ORDERED that Defendant's motion to dismiss is DENIED.

SIGNED this 25th day of March, 2011.

  
\_\_\_\_\_  
T. JOHN WARD  
UNITED STATES DISTRICT JUDGE